

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI

UNITED STATES OF AMERICA

-vs-

Case No. CR-1-02-150 (1)


JOHN A. SMITH

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ORDER OF TEMPORARY DETENTION  
PENDING HEARING<sup>1</sup> PURSUANT TO  
BAIL REFORM ACT

Upon motion of the Defendant, it is **ORDERED** that a detention and probable cause hearing is set for Thursday **DECEMBER 21, 2006** at 10:00 A.M. before United States Magistrate **Judge Timothy S. Black** in **Courtroom No. 6, Room 708**, Potter Stewart U.S. Courthouse, 100 East Fifth Street, Cincinnati, Ohio. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: December 18, 2006

  
TIMOTHY S. BLACK  
UNITED STATES MAGISTRATE JUDGE

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SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION  
CLERK OF COURT

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<sup>1</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.